GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commercial Taxes Department – Surprise Check conducted over the Integrated Check Post of Commercial Tax Department, Purushottapuram, Ichapuram Mandal, Srikakulam District on 25-03-2015 – Allegations of Corruption – Initiation of Disciplinary Proceedings against Sri Shaik Bhasha, Senior Assistant, CT Dept., Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

REVENUE (VIGILANCE-II) DEPARTMENT

G.O.Rt.No.752 **Dated:14-09-2020**

Read the following:

1. From DG, ACB, A.P, Lr.C.No.61/DES-VSK/2015, dated:23-02-2017.
2. G.O.Ms.No.266, Revenue (Vig.II) Department, dt.14-09-2020.

******

O R D E R :

In continuation of the orders issued under Rule 24 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 2nd read above, it is considered necessary to hold an enquiry against Sri Shaik Bhasha, Senior Assistant, Commercial Tax Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District under Rule 20 of the said rules.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV).

3. Sri Shaik Bhasha, Senior Assistant, Commercial Tax Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is directed to submit within ten days of the receipt of this order a written statement of his defense.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri Shaik Bhasha, Senior Assistant, Commercial Tax Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri Shaik Bhasha, Senior Assistant, Commercial Tax Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings,

Contd.,2

it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Sri Shaik Bhasha, Senior Assistant, Commercial Tax Department, Integrated Check Post, Purushottapuram, Ichapuram Mandal, Srikakulam District (w.e, Annexures-I to IV) through the Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada. (with a request to serve the order on the individual and send the served copy with dated signature to Government)

Copy to

The Chief Commissioner of State Tax, Andhra Pradesh, Eedupugallu, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance Commission, Velagapudi.

The Director General, Anti Corruption Bureau, Pandit Nehru Bus Station, NTR Administration Block, 2nd Floor, Andhra Pradesh, Vijayawada.

The Deputy Commissioner, Commercial Taxes, Srikakulam District.

SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SHAIK BHASHA, S/O LATE SHAIK CHOTU, SENIOR ASSISTANT, COMMERCIAL TAX DEPARTMENT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB SKL/2015 SRIKAKULAM RANGE.

That Sri Shaik Bhasha S/o late Shaik Chotu, Senior Assistant, Commercial Tax Department, joined in Government Service on 01-05-1986 as Attender in the office of the Dy. Commissioner, CT Department, Vizianagaram. He was promoted as Senior Assistant on 13-01-2010 and worked at CTO's Office, Vizianagaram. He was deputed to Integrated check post on deputation basis for a period of three months on 12-03-2015 and he worked as such from 12.03.2015 and committed the following grave misconduct in as much as.

CHARGE-01:

That Sri Shaik Bhasha S/o late Shaik Chotu, Senior Assistant Integrated Check Post, Ichapuram who was deployed to attend for duty at integrated Check Post, Purushottapuram for C shift duty from 09.00 PM on 24.03.2015 to 07.00 AM on 25.03.2015. But he did not attend for duty without leave or permission from the competent authority.

Thus Sri Shaik Bhasha, Senior Assistant Integrated Check Post, Ichapurarn by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3(1) (2) & 4 (i) of APCS (Conduct) Rules, 1964.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK BHASHA S/O LATE SHAIK CHOTU, SENIOR ASSISTANT, INTEGRATED CHECKPOST, PURUSHOTTA-PURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

That Sri Shaik Bhasha S/o late Shaik Chotu, Senior Assistant, Commercial Tax Department, Integrated Check Post, Ichapuram is native of Donkinivalasa Village of Badangi Mandal, Vizianagaram District. His date of birth is 31-03-1962. He joined in Government Service on 01-05-1986 as Attender in the office of the Dy. Commissioner, CT Department, Vizianagaram.

He was promoted as Senior Assistant on 13-01-2010 and worked at CTO's Office, Vizianagaram. He was deputed to integrated check Post, Purushottapuram, Itchapuram on 12-03-2015 and worked as such from12.03.15. His basic pay is Rs.43,680/ -. He is attaining superannuation on 31-03-2022. Herein after he is referred to as Govt. Servant.

FACTS AND EVIDENCE:-

On receipt of credible information that the employees of Integrated Check Post, Purushottapuram (Ichapuram) Srikakulam District were indulging in corrupt practices habitually by collecting illegal gratifications directly and also through private persons by abusing their official positions from the crew members/owners of the vehicles, whose vehicles are passing through the check-post, without conducting physical verification of the vehicles and connected records of the vehicles and goods being transported and not collecting authorized fees/tax dues and fines for the violations from the owners and crew members of the vehicles and causing huge loss to the Govt. exchequer for their personal gain, the DSP, ACB, Srikakulam Range organized surprise check on the Check-post in the presence of mediators with the assistance of officers and staff of ACB, Srikakulam, Vizianagaram and Dist. Armed Reserve, Srikakulam District on the intervening night of 24/25-03-2015 and the mediators prepared the proceedings from 2315 hrs on 24- 03-2015 to 0730 hrs on 25-03-2015.

During enquiry it is informed by the Administrative Officer of the Check Post that the Govt. Servant and some other officers were deputed on deputation on tenure basis for a period of three months by the Deputy Commissioner, Commercial Taxes, Vizianagaram for physical verification of the goods vehicles at the check post vide Proceedings RC.No.26/2015/A2, dated 12-03-2015 and 17-03-2015 and she deployed the Govt. servant for C shift on 24-03-2015 and he should be on duty from 9 PM on 24-03-2015 to 7 AM on 25-03-2015.

During the surprise check organized by the DSP, ACB, Srikakulam the Govt., servant was not found in the premises of the check post. When the Govt. Servant was examined by the DSP he stated that he has attended for duty at 9 PM on 24-03-2015 and immediately left the premises. Thus the Govt. Servant by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Govt. servant and thereby contravened Rule 3(1) (2) & 4 (i) of APCS (Conduct) Rules, 1964.

The Govt. Servant has therefore rendered himself liable for regular departmental action.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK BHASHA S/O LATE SHAIK CHOTU, SENIOR ASSISTANT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

1.	Original mediators report dated 24/25-03-2015 from 2300 hrs to 0730 hrs at the Integrated check post, Ichapuram.
2.	Statement of Sri Shaik Bhasha S/o late Shaik Chotu, Senior Assistant, Integrated Check Post, Ichapuram.
3.	Copy of Proceedings vide RC.No.26/2015/A2, dated 12-03-2015 of DC, CT, Viziaagaram Division.
4.	Copy of Proceedings vide RC.No.26/2015/A2, dated 17-03-2015 of DC, CT, Viziaagaram Division.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLES OF CHARGES FRAMED AGAINST SRI SHAIK BHASHA S/O LATE SHAIK CHOTU, SENIOR ASSISTANT, INTEGRATED CHECKPOST, PURUSHOTTAPURAM, ICHAPURAM MANDAL, SRIKAKULAM DISTRICT IN SC.NO.2/SC-ACB/SKL/2015 SRIKAKULAM RANGE.

1.	Sri Pusarla Rajesh, S/o late Ramarao, aged 35 years, Sub Treasury Officer, Divisional Sub Treasury, Srikakulam. R/o Plot No. 12, Near Sai Baba Temple, Visakha B Colony, Srikakulam.
2.	Sri Vijay Bhaskar Ratho, S/o Gowri Charan Ratho, Senior Accountant, District Treasury, Srikakulam. R/o MIG 446, Old APHB Colony, Near Santhoshimatha Temple, Srikakulam. They stated about their presence as official mediators at the time of surprise check conducted on 24/25-03-2015 from 2300 hrs to 0730 AM on 25-03- 2015 at Integrated Check Post Purushottapuram, Itchapuram and etc facts.
3.	Smt. R. Anasuya, Administrative Officer, Integrated Check Post, Purushottapuram, Ichapuram. She speaks that the Peddinti Viswanadham, ACTO was deputed to the check post on deputation on tenure basis for a period of three months by the DC, CT, Vizianagram vide Proceedings RC.No.26/2015/A2, dated:12-03-2015 and 17-03- 2015 for physical verification of vehicles and deputing him for duty in C shift on 24-03-2015.
4.	Sri. Dananala Prakasharao S/o late Apparao, 54 yrs, ACTO, Integrated Check Post, Ichapuram. He speaks about his presence at the time of surprise check and absence of Sri. Sk. Bhasha, Sr. Assistant, CT dept and furnishing of information to ACB officials etc facts.
5.	Sri. K. Ranga Raju, Deputy Supdt. of Police, ACB, Srikakulam Range. He speaks to the facts of his supervision of surprise check on the Integrated Check Post, Ichapuram on 24/25-03-2015 from 2300hours to 0730 hours and about the collection of mamools by the officials of check post from the transport drivers, seizure of amount and relevant documents and registers during the proceedings etc., facts.

RAJAT BHARGAVA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

SECTION OFFICER